



U.S. Citizenship
and Immigration
Services

File:

Office: VERMONT SERVICE CENTER

Date:

IN RE:

Petitioner:

Beneficiary:

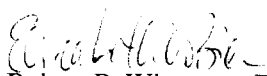
Petition:

Immigrant Petition for Special Immigrant Religious Worker Pursuant to Section 203(b)(4) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1153(b)(4), as described at Section 101(a)(27)(C) of the Act, 8 U.S.C. § 1101(a)(27)(C)

IN BEHALF OF PETITIONER:

INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. All documents have been returned to the office that originally decided your case. Any further inquiry must be made to that office.


Robert P. Wiemann, Director
Administrative Appeals Office

DISCUSSION: The employment-based immigrant visa petition was denied by the Director, Vermont Service Center, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

The petitioner is a church. It seeks to classify the beneficiary as a special immigrant religious worker pursuant to section 203(b)(4) of the Immigration and Nationality Act, 8 U.S.C. § 1153(b)(4), to perform services as a youth minister. The director denied the petition on April 29, 2003.

8 C.F.R. § 103.3(a)(1)(v) states, in pertinent part, “[a]n officer to whom an appeal is taken shall summarily dismiss any appeal when the party concerned fails to identify specifically any erroneous conclusion of law or statement of fact for the appeal.”

On the Form I-290B Notice of Appeal, filed on May 30, 2003, counsel for the petitioner indicated that a brief would be forthcoming within thirty days. To date, over one year later, a review of the record reveals no subsequent submission; all other documentation in the record predates the issuance of the notice of decision.

The statement contained on the Form I-290B reads simply:

Beneficiary’s position as a youth minister is that of a minister [sic]. Beneficiaries [sic] duty [sic] as a youth minister qualifies as a religious occupation.

The petitioner has the ability to pay the offered wage.

The beneficiary [sic] will be employed in a religious occupation.

As the petitioner, through counsel, does not assert that the director’s findings were incorrect or based on an erroneous conclusion of law, the petitioner has not overcome any of the director’s findings. No further evidence has been submitted on appeal.

Inasmuch as the petitioner has failed to identify specifically an erroneous conclusion of law or a statement of fact as a basis for the appeal, the regulations mandate the summary dismissal of the appeal.

ORDER: The appeal is dismissed.